

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

|                           |   |                                     |
|---------------------------|---|-------------------------------------|
| UNITED STATES OF AMERICA, | : |                                     |
| Plaintiff,                | : | Case No. 3:12cr00024                |
| vs.                       | : | District Judge Walter Herbert Rice  |
|                           | : | Magistrate Judge Sharon L. Ovington |
| DONALD L. JOHNSON,        | : |                                     |
| Defendant.                | : |                                     |

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**ORDER**

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This matter came before the Court for hearing on May 31, 2012, before United States Magistrate Judge Sharon L. Ovington, who thereafter issued a Report and Recommendations. (Doc. #20). Having conducted a full colloquy with Defendant Donald L. Johnson, the Magistrate Judge concluded that Defendant's plea of guilty is knowing, intelligent, and voluntary, and that there is an adequate factual basis for a finding of guilty.

The Court, noting that no Objections to the Report and Recommendations have been filed and that the time for filing Objections has expired, hereby ADOPTS in full said Report and Recommendations.

Therefore, based on the aforesaid, and this Court's de novo review of the record and the comprehensive findings by the United States Magistrate Judge, this Court adopts

the findings and recommendations of the United State Magistrate Judge, and finds that the Defendant Donald L. Johnson's guilty plea was knowing, voluntary, and intelligent. Defendant is FOUND guilty of the offense to which he pled, specifically, Count One of the Indictment, conspiring to possess with intent to distribute and to distribute a mixture or substance containing a detectable amount of heroin – namely, in excess of one kilogram of a mixture or substance containing a detectable amount of heroin – a Schedule I controlled substance, in violation of Title 21, United States Code Sections 846 and 841(b)(1)(A).

A handwritten signature in black ink, appearing to read "Walter Herbert Rice", written over a horizontal line.

Walter Herbert Rice  
United States District Judge